



Dana E. Blackwell
Executive Director

LOS ANGELES COUNTY COMMISSION FOR CHILDREN AND FAMILIES

COMMISSIONERS:
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DR. LA-DORIS MCCLANEY
SANDRA RUDNICK, VICE CHAIR
ADELINA SORKIN, LCSW/ACSW
DR. HARRIETTE WILLIAMS, CHAIR

APPROVED MINUTES

The General Meeting of the Commission for Children and Families was held on Monday, **April 5, 2004**, in room 140 of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles. **Please note that these minutes are intended as a summary and not as a verbatim transcription of events at this meeting.**

COMMISSIONERS PRESENT (Quorum Established)

Patricia Curry
Joyce Fahey
Brenda Galloway
Phalen G. Hurewitz
Helen Kleinberg
Daisy Ma
Christina S. Mattingly
Dr. La-Doris McClaney
Adelina Sorkin
Dr. Harriette Williams

COMMISSIONERS ABSENT (Excused/Unexcused)

Carol O. Biondi
Sandra Rudnick
Trinity Wallace-Ellis, Youth Representative

APPROVAL OF THE AGENDA

The agenda for the April 5, 2004, meeting was unanimously approved.

APPROVAL OF MINUTES

The minutes for the March 15, 2004, general meeting were unanimously approved.
The minutes for the March 15, 2004, chair's meeting were unanimously approved.

CHAIR'S REPORT

- Chair Williams reminded workgroup members involved with the Children's Planning Council motion of the fast-approaching deadline for their recommendations. In response to questions, Dr. Sanders clarified that the products from the three workgroups, used initially to report to the Board of Supervisors, would also be folded into whatever changes emerge from the State's Program Improvement Plan (PIP) and Child Welfare System redesign processes, since all are moving in the same direction. If the timeframe means that workgroups are able only to identify problems and not propose solutions, even that input will be helpful. Commissioner Hurewitz suggested that workgroup representatives meet with departmental staff who are writing up the recommendations, to ensure that a unison voice is reflected.
- Deputies of the Board of Supervisors met on April 1 to review workgroup progress. The discussion also touched on the Commission's 20th anniversary announcement, the deputies' concerns for a lack of legal support for families, redeployment, mentoring of new departmental social workers, and other matters. Regular meetings are planned.
- A leadership conference for all county Commissioners is scheduled for May 26, 2004, from 9:00 a.m. to 4:00 p.m. at the Music Center. Chair Williams encouraged the Commission's representation at that event.
- A March 23 motion by Supervisor Knabe urged the co-location of services at Sheriff's stations; Chair Williams suggested discussions with the Sheriff with regard to relative care support centers.
- The 2004 Partnership Conference, sponsored by the court, will take place on October 29, 2004, and a planning meeting is scheduled for April 16 at the Edelman Court. Chair Williams asked that Commissioners with ideas for workshops submit them in writing for that meeting if they cannot attend.
- Two background-check processes are currently available to the department: Live Scan, which requires fingerprints and ID, and California Law Enforcement Telecommunications System (CLETS), which runs an individual's name through Department of Justice records. LiveScan can take up to six weeks to return results, and Los Angeles County has been using the more rapid CLETS process to screen relative caregivers in situations where a child must be placed immediately. Because CLETS functions by name only, however, duplications often arise and must be sorted through, which is why the department uses LiveScan for foster homes. (The California state legislature decided some years ago to require Live Scan but because of the cumbersome delays involved, got permission to use the less reliable CLETS in emergency situations.)

With the passing of the Adoption and Safe Families Act, Federal law now requires the approval of relative homes under the same standards as those used for foster

homes—in other words, the department can no longer use CLETS to clear relatives and LiveScan to clear nonrelatives. This means that children removed from their homes may first be shuttled through short-term placements until LiveScan results come back for relatives who are willing and able to take them right away.

AB 1913, legislation supported by Children's Law Center, seeks to address this issue at the state level. Commissioners suggested a two-pronged approach: recommending a position on the legislation to the Board of Supervisors and moving forward with advocacy, and requesting the Board to send a five-signature letter to the state asking why the LiveScan process takes so long and urging procedures to speed it up. Commissioners Fahey and Curry will work with Chair Williams on this matter, and may arrange for representatives from the Department of Justice, Sheriff's Department, Children's Law Center and the State to address the Commission. A draft of any Commission letter to the Board of Supervisors will be available at the same time.

Another complication with the LiveScan process is that identification must be provided prior to fingerprinting. This becomes a challenge for undocumented individuals. It is possible, though costly, to obtain identification papers at consulates. Commissioner Sorkin suggested tackling that issue separately.

- Four Prevention Workgroup meetings for stakeholders have been scheduled: April 12 and 26 from 8:15 to noon; May 18 from 1:00 to 4:30 p.m.; and June 2 starting at 8:30 a.m. These meetings will take place at the Shatto Place headquarters of the department.
- A site visit to the Paramount Family Conferencing Center has been scheduled for April 13 starting at 10:00 a.m.

DIRECTOR'S REPORT

Dr. Sanders stated that the IV-E waiver process has been completed with the state and waiver authorization has been extended through June by the Federal government; it will go into effect within the next week or two. He will provide Commissioners with a copy of the waiver letter, which accomplishes several things. It holds the state harmless for any increase in the capped allocation; whatever savings are generated may be reinvested—a positive outcome Dr. Sanders had hoped for but had not expected. Negotiation of state budget issues will also be necessary, but the State will not pay more under the waiver than it would have otherwise. The waiver also requires partial payment of the cost of evaluation.

Commissioner Hurewitz asked how the evaluation will track savings, since there is no control group functioning outside of waiver provisions. The department has several years of data on out-of-home placement costs, but will also need to average or project what costs would have been without the waiver.

Commissioner Kleinberg raised concerns about paying for the evaluation, since the objectivity of evaluations funded by an organization being evaluated is often in question.

Even if the expense is shared, she suggested that others choose the evaluator to ensure independence.

NEW BUSINESS

***Rosales* Decision: Marjorie Shelvy, Legal Aid Foundation**

Ms. Shelvy explained the changes this legal decision will bring to children's eligibility for Federal foster-care dollars when placed with relative caregivers.

The Federal government has long held that eligibility for Federal dollars depends on the parent's eligibility—not the child's—for AFDC benefits. California challenged this in 1993 and won an alternate ruling, which was later overturned. A client of the Legal Aid Foundation, Ms. Rosales, appealed the decision, and it has been working through the courts since 1999. The Ninth Circuit Court found in favor of Ms. Rosales on March 3, 2003, remanding the remedy determination to the district court.

Under this ruling, a child must still have been removed from the parental home by court order, be under the jurisdiction of the Dependency Court through the department, and be suitably placed. Now, however, the child (not the parent) must have been eligible to receive AFDC/CalWORKs benefits within the six months prior to the filing of the removal petition. Since only parents are responsible for financially supporting their children, any minor placed with a relative meeting those criteria should be eligible for Federal foster-care dollars.

On February 10, 2004, the district court ordered a retroactive payment of benefits to open dependency cases with original placement dates from December 23, 1997, through March 3, 2003—possibly as many as 18,000 children in California. The department is identifying cases in Los Angeles County, and estimates a range from 4,000 to 9,000 cases will be affected.

The ongoing implementation of *Rosales* will do much to shift the burden of payment for relative foster care. California, Oregon, and New Jersey are the only states in the union that do not provide foster-care support to relative caregivers. Though this decision applies only to western states within the Ninth Circuit Court, repercussions are expected throughout the country. An amendment of the Social Security Act is currently being proposed that would overturn *Rosales* and again associate eligibility requirements with the child's 'home of removal' rather than the home of the interim caregiver.

Seven Measures for Departmental Goals: David Sanders, Leo Yu, Cecilia Custodio

Dr. Sanders and his team presented charts of the three department goals and associated performance measures on which they have recently been working.

➤ Safety

- Open cases with two or more referrals
- Open cases with four or more referrals
- Instances of child abuse in foster care
- Stability in care (percentages of children with various numbers of placements)

- Permanence
 - Number of days in care
 - Children in care (by age, facility type, and level of care)
- Detentions
 - Number of detentions (Emergency Response and other)

Tracking these statistics is meant to improve the safety of children, reduce timelines to permanency, and reduce reliance on detention. As evidenced in the material, the differences among departmental offices are sometimes dramatic; single methods to address these issues don't always work within unique geographic communities. A move to quantifying the best practices of the most successful offices is in line with other results-based efforts within the county.

Commissioner Kleinberg asked about tracking statistics that don't appear in this material; she believes, for example, that 10 percent more referrals are received during nighttime hours as opposed to during the day. She also asked about the much larger number of child-abuse cases reported in relative care. Out of the 30,000 children in out-of-home placement with the department, approximately 11,000 are in relative care. The majority of referrals for those children is for neglect, often for simple license violations—a broken window, for instance—rather than physical harm.

Chair Williams noted that the data indicates that the work of finding permanent homes for these children seems to quit at some point, even though there remain plenty of opportunities.

Commissioner Hurewitz asked if any kind of special team was looking at re-abuse. Dr. Sanders said that the department is trying to implement the standard protocol of a public health nurse's visit on the second referral for a child aged three or under. He also suggested that Commission members might become involved in teams that would look at results in individual offices. Commissioner Sorkin expressed her willingness to read cases, but said that the historical response from the Department has been to present the Commission with existing policies rather than consider recommendations presented. Cases with two, three, and four referrals definitely need attention. Dr. Sanders explained the peer review protocol now in place, where teams from one office read cases in another office and offer their expertise. Sometimes, though, reviews don't have the desired impact, since workers and supervisors can drive the numbers in any particular office and an overall cultural change may be necessary.

Commissioner Kleinberg found disturbing the lack of data on families, which she feels is readily available from a number of sources. Ms. Custodio said that family preservation data was indeed available, and that Barbara Solomon of USC was still providing reports that give a sense of the work being accomplished.

Commissioner Fahey would like to see the tracking of child fatalities in relation to referrals, broken out by office, and Commissioner Sorkin would like the importance of sibling

groups to be recognized by tracking children's visits with family members. Social workers are required to document those visits, but they are not yet part of the computer record.

PUBLIC COMMENT

Gwen Bartholomew announced that the city's Recreation and Parks department has found funds for another six months of kinship staffing, including the respite camp scheduled for June 12 and 13 that will serve 160 children and adults.

She also mentioned a kinship conference in San Francisco that five representatives will attend. Part of those costs are being covered through foster-care education dollars, but they are still lacking \$400 per person. She asked for help in identifying sources for those funds.

MEETING ADJOURNED